

SENATE EDUCATION COMMITTEE AMENDMENT #1

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 1330*

House Bill No. 1549

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by adding the following new sections and by redesignating the subsequent sections accordingly:

SECTION 5. Tennessee Code Annotated, Title 49, Chapter 7, Part 8, is
amended by adding the following new section:

49-7-823. Disclosure of Personal Information.

(a) Notwithstanding any other provision of law to the contrary,
except as provided in subsections (b) and (c) below, the board, and any
officer, employee, agent or contractor thereof shall not disclose personal
information about any person obtained by the board in connection with
the purchase of tuition units hereunder.

(b) The board, and any officer, or employee thereof may release
information described above under the following circumstances:

(1) To an institution of higher education in which a
beneficiary may enroll or is enrolled. The institution of higher
education shall maintain the same level of confidentiality as that
required hereunder;

(2) To the extent that the beneficiary, purchaser or their
respective legal representative consents to disclosure;

(3) In compliance with a subpoena or a court order;

(4) To the comptroller of the treasury or the comptroller's
designees for the purpose of an audit of the board;

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(5) To the Internal Revenue Service for the purpose of
filing reports of distributions made under the program; or

(6) In any administrative proceeding or court action
between the purchaser, beneficiary or their respective legal
representative and the board.

(c) Personal information referred to in subsection (a) above may
be disclosed to any requesting person, without regard to intended use, if
the board has provided in a clear and conspicuous manner on tuition
contracts that personal information collected by the board may be
disclosed to any person making a request for such information, and has
provided in a clear and conspicuous manner on such contracts an
opportunity for the purchaser to prohibit such disclosure.

SECTION 6. Tennessee Code Annotated, Section 49-7-804(e), is amended by
deleting the word "All" in the second sentence thereof and by substituting instead the
words and figures "Except as provided in § 49-7-823, all".

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